

I prevail upon the conscience of my Republican colleagues, who I know want to be fair to this man, look at the body of evidence impartially. There is simply a preponderance of evidence that Mr. Farr was involved, often intimately, in decades of voter suppression in North Carolina. The standard for this vote is not whether or how Mr. Farr should be punished or excoriated for what he did but a much higher one: whether a man with this history deserves to be elevated to a lifetime appointment on the Federal bench.

Whether you are Republican or Democratic, a liberal or conservative, that has to be—has to be—disqualifying for a seat on the Federal bench.

SPECIAL COUNSEL INVESTIGATION

Mr. SCHUMER. Madam President, now, on another matter, the special counsel investigation.

To date, the special counsel's investigation has produced no less than 35 indictments or plea deals—35—and that does not include two additional guilty pleas of people initially investigated by Mueller but were handed off to other branches of the Justice Department.

Just this morning, Michael Cohen has pled guilty to lying to Congress about projects in Russia.

It is a reminder that there has been a remarkable volume of criminal activity uncovered by the special counsel's investigation. No one, especially not the President, can credibly claim that the investigation is a fishing expedition. Calling Mueller's investigation a witch hunt is just a lie—plain and simple, a lie.

The President's actions clearly show he has a lot to hide, that he is afraid of the truth, and doesn't want Mueller or anyone else to uncover it, but it hasn't stopped the President from repeating these lies. In fact, in recent days, President Trump has escalated his attack on Special Counsel Mueller. Almost daily, the President's Twitter feed is littered with baseless accusations about the investigation. President Trump retweeted an image of several of his political opponents, including Deputy Attorney General Rosenstein, behind bars. Can you believe that? The Deputy Attorney General behind bars? And this is the man—the President—our Republican colleagues refuse to call out against?

Just yesterday, President Trump said this about a potential pardon for Paul Manafort, now accused of lying to prosecutors and violating his plea agreement. He said:

I wouldn't take it off the table. . . . Why would I take it off the table?

That is a pardon.

Let's not forget, President Trump has already fired the Attorney General and replaced him with a lackey without Senate approval. The nominee's only qualification seems to be that he has a history of criticizing the special counsel.

So this idea that we don't need to pass legislation to protect the special

counsel because there is no way President Trump will interfere with the investigation is flatout absurd.

I once again call on my friend the majority leader to schedule a vote on the bipartisan bill to protect the special counsel. If he continues to refuse, we will push for the bill in the yearend spending agreement.

I yield the floor.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session and resume consideration of the following nomination, which the clerk will report:

The senior assistant legislative clerk read the nomination of Thomas Alvin Farr, of North Carolina, to be United States District Judge for the Eastern District of North Carolina.

The PRESIDING OFFICER. The majority whip.

BORDER SECURITY

Mr. CORNYN. Madam President, the clock is ticking and the days are passing us by, but we know we have a deadline to meet on December 7, and if we don't meet that deadline, then there will be a lot of lives disrupted and a lot of people will say: There they go again. Congress is unable to work together to try to solve problems, just creating more distrust and undermining confidence in our ability to actually do our job to govern.

What I want to talk about specifically is this fight over border funding because that is what the deadline is on December 7. Our Democratic friends have said: We are not going to fund President Trump's wall. On the other hand, we see caravans of people coming from Central America, coming through Mexico, closing down the ports of entry at the San Ysidro bridge between Tijuana and San Diego. What I fear is, we have made a parody out of what the problem is. We have thought about the challenge of border security and immigration in too small a way and not given the complete picture of what the challenges really are.

I just have to believe that if we were willing to acknowledge the facts, that we would be more inclined to work together to solve the problem, and I feel like we are looking at these problems like we are looking through a soda straw.

I have heard people talk about the humanitarian crisis at the border there at Tijuana caused by this huge caravan of Central Americans who want to storm the barriers and enter the United States illegally, and people question why would we stop them, why would they use nonlethal means like tear gas and pepper spray like President Obama did during his administration and which now Customs and Border Protection is doing again in order to protect the sovereignty of our country and to protect our borders from those who would enter it illegally.

So let's not look at this through a soda straw. Let's open up the aperture and look at the larger problem because it is a very serious problem, and it affects many lives, both here, in Mexico, and in Central America.

Our Democratic colleagues have offered a lot of criticism of the Trump administration when it comes to border security, but anytime you ask them, well, what is your solution, what are you offering as an alternative, it is crickets—complete silence. In other words, they are not offering any constructive solutions, just criticism. Our constituents deserve more than just for us to criticize one another. They deserve our working together to try to come up with solutions.

This is a crisis that has arisen as a result of our inability to acknowledge that this is a failure to enforce our immigration laws, a failure to fix our broken immigration system, and a failure to secure our borders.

Coming from Texas, representing 28 million constituents in a State which has a 1,200-mile common border with Mexico, this affects my constituents in my State directly. We are at ground zero, and I have tried my best to get educated about the problem and potential solutions. My trips to the border, talking to people in border communities who live and work in those communities, talking to our heroic Border Patrol agents, and visiting our ports of entry where millions and even billions of dollars of commerce flow legally between the United States and Mexico—that is important not only to our border communities but to jobs in the United States.

The border communities that rely on the flow of legal commerce through our ports know that without border security, legitimate trade can easily be brought to a standstill. In fact, that is exactly what has happened at San Ysidro, the port of entry between Tijuana and San Diego. They had to shut down the port of entry. So people whose jobs depend on those ports of entry and the trade and commerce that goes on between our countries, they are the ones who are being hurt by the uncontrolled disruption of legal immigration. Any disruption of legitimate trade has an immediate impact on the businesses and the employees and affects the livelihoods of our border residents.

An unsecured border creates avenues for the entry of drug cartels and

transnational criminal gangs to exploit because they are the same people who are facilitating the passage of migrants from Central America to our borders. Those are the same people who are transiting the heroin, 90 percent of which comes from Mexico, which contributes to our opioid crisis in the United States.

As I mentioned before, last year the Centers for Disease Control estimates 72,000 Americans died of a drug overdose—about 50,000 of those from some form of opioid, either prescription drug, synthetic fentanyl, or heroin coming across the same borders these migrants are attempting to storm across.

The people who are organizing that, as I said, are the same people. They are the drug cartels that are getting rich because we have not found a way to come together to fix our border, to reform our laws, and come together to try to protect the people we represent in the process. We know that the gangs, the cartels, and the transnational criminal organizations are ever evolving. They are always adapting. They spread terror, they prey on the weak, and they have taken control of large swaths of Mexico and Central America. They are, as I have said before, commodity-agnostic—they don't really care whether they are trafficking children for sex or heroin that will cause an overdose in the United States or a migrant who just wants a better life in the United States, because they do want a better life. The same people facilitate that for money.

On average, I have read that a migrant from Central America has to pay about \$8,000. You multiply that \$8,000 times thousands and thousands. Last year, in 2017, there were almost 400,000 migrants detained at our southwestern border. Just multiply that number by \$8,000, and you get just a glimpse of what we are talking about in the huge criminal enterprise. We are continuing to enrich these cartels and transnational criminal organizations when we fail to do our job when it comes to securing our border and fixing our broken immigration system.

This is more than just about whether President Trump gets his money for the wall. As a matter of fact, many of our Democratic colleagues voted in—I think it was 2006 for the Secure Fence Act, which called for 700 miles of secure fencing along the southwestern border. So they have already voted for tactical infrastructure that is part of the piece of the puzzle of securing our border; yet they stand intransigent against our effort to try to improve border security now even though they have supported similar funding in the past.

As I said, we know that the cartels are very shrewd, adaptive, and are always evolving. They know that if they can tie up the Border Patrol with processing children and family units, those same Border Patrol agents aren't available to stop the drugs that come across

the border. So it is a method of distracting the Border Patrol and law enforcement in order to exploit that vulnerability for the purposes of bringing those drugs into the United States.

When I want to learn more about what is happening at the border, I talk to my constituents in the Customs and Border Protection business, such as Chief Manny Padilla, who is the Chief of the Rio Grande Valley Sector of the Border Patrol, and Border Patrol Chief Carla Provost. Customs and Border Protection does all it can do with the tools available to it to stop flows of illegal immigration and to stop illegal contraband, including drugs, from making it across the border, but they need our help. We basically have not given them the tools they need in order to do the job we have asked them to do. Shame on us.

We know the cartels are cunning. I have seen produce that appears to be watermelons or other vegetables that basically contain heroin or fentanyl or some other illegal drug. The creativity of the cartels is amazing. I have seen them put human beings, migrants, into the upholstery of a seat in a car so they are obscured or pack them into a truck or put them in an 18-wheeler—unfortunately sometimes leaving them to die as a result of exposure to heat and other conditions. We also know that these same organizations traffic women and children through Central America and enslave them, essentially, here in the United States. They traffic them for sex—again, to generate money because that is all they care about.

The operations of these cartels are increasingly sophisticated, and they are always diversifying their income streams to avoid detection and defeat our efforts to stop it. They are strategic about when and how they cross the border, and they have developed this strategy over many years.

To put it simply, they are taking advantage of and exploiting our inability to deal with our porous border, and a lot of innocent people are getting hurt in the process.

Again, this is about more than just funding President Trump's border wall; this is about our pulling back and looking at the complexity of this problem and using our very best efforts in order to stop it. But somehow it becomes trivialized over a fight over tactical infrastructure that our Democratic colleagues have already voted for in the past under the Secure Fence Act.

Well, the instability and violence created by the criminal organizations in Central America and Mexico over the last few years are part of the strategy. Violence, unfortunately, is at an alltime high in Mexico. That is one of the reasons President Lopez Obrador was elected. He said he wanted to decrease the violence in Mexico. I learned recently that more people have died in Mexico since 2007 than have died in the wars in Afghanistan and Iraq combined. It is terrible, and we need to

work together to try to stop it. We know that gangs control much of El Salvador, and as a result, many Central Americans have their lives and safety threatened daily. It is no wonder they try to flee.

But the United States cannot bear the burden of this crisis alone. I believe the United States is the most generous country in the world when it comes to legal immigration. We have always considered ourselves a nation of immigrants, but we are also a nation of laws, and we see what happens when the law is ignored and when Congress fails to fix the problem to the best of our ability.

We have seen uncontrolled illegal immigration. We see thousands of people banding together in caravans trying to storm our ports of entry into the country, overrun our Customs and Border Protection personnel. Until we deal with this problem, new caravans will continue to arrive on a daily basis. In fact, they have. It is just now in the news because it is so large. We have had literally many caravans show up on a daily basis, but that doesn't make a lot of news. As I said, 400,000 people were detained on the southwestern border in 2017 alone.

What is frustrating is that the tools we need to address these problems are at hand and available to us. We can begin to work together to fight these gang cartels and organizations and secure our border by partnering with the governments of Central America and Mexico because our War on Drugs, our effort to provide safety and security to our constituents, is part of their war too. It is a fact that border security doesn't begin at our southern border; it ends at our southern border. It starts in Central America and Mexico.

I know it is sometimes difficult to grasp the complexity of these problems, and that is why it is so tough to resolve them. There are social, political, historical, and moral aspects to all of them. Many people and facets of our society are implicated.

Because of corruption and powerful criminal organizations in Mexico and Central America, a genuine rule of law is missing in many parts of these countries, and it has been for a long time. That is why it is so important for us to work together with these countries in Central America and with Mexico to help them stabilize their governments, root out the corruption, and stop the violence, which will benefit them and their economy, as well as the United States. These countries can in turn restore the relationship between their government, their law enforcement, and their people. When their people begin to see opportunity and safety in their home countries, making the long haul from Central America to the United States becomes less of an imperative and less of a necessity for them. They would probably be happier staying at home if they could do so safely and enjoy some modest prosperity.

We have already had some successes in partnering with our closest neighbor in the crisis; that is, the Government of Mexico. I believe we can and should continue to build on some of the things we have already put in place.

We have already partnered with Mexico in recent years through programs like the Merida Initiative to combat drug trafficking, organized crime, and money laundering.

We have directed funds toward strengthening communities and empowering the Mexican criminal justice system and judicial system to combat the rampant culture of impunity.

We have collaborated on intelligence matters and cooperated on providing various forms of security.

The Bureau of International Narcotics Control and Law Enforcement Affairs continues to work to develop programs to combat international narcotics and crime, especially in Central America, but U.S. funding for this program in Mexico has stagnated. Why? Because we somehow fixed the problem? No. It is because we have taken our eye off the ball once again.

Additional aid for these programs would help not only improve drug interdiction and train Mexican law enforcement and judicial personnel, it would help them help us work together to combat the threats of these transnational criminal organizations. We should begin to look at the effectiveness of these programs so we can take full advantage of the work they do and make sure they are modernized and are more efficient and more effective.

I was encouraged to see that the State Department, the Department of Homeland Security, and the Trump administration have already begun to negotiate new partnerships with Mexico to implement a new strategy to address some of the migrant flows from Central America. I appreciate Secretary Nielsen's and Secretary Pompeo's work with Mexican officials—primarily those associated with the incoming administration of President Lopez Obrador—toward an arrangement where migrants can seek asylum in the United States but wait in Mexico while their claims are being processed.

I look forward to attending the inauguration of Mexico's incoming President this Saturday with Vice President PENCE and other Members of Congress. I think this is—hopefully—a gesture that will be appreciated and reciprocated when it comes to our desire to work closely with this new administration to address many of the problems that I have talked about this morning.

Ignoring this problem is not going to make it better; it is only going to get worse. Working together—not just here in Congress but with the administration and our partners to the south—to secure our borders is the only path forward. Solving this crisis takes a whole-government strategy and one that looks at all pieces of the puzzle.

Instead of shutting down the government by refusing the President's re-

quest for border security measures, we need to get to work and fix our broken immigration system. I hope our friends across the aisle are ready to leave their criticism behind and join us in solving the problem.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Madam President, on another matter, I ask unanimous consent that the order with respect to the vote on Executive Calendar No. 626 be vitiated; that notwithstanding rule XXII, it be in order to proceed to the nomination the week of December 3; and that if the motion is agreed to, the Senate vote on confirmation with no intervening action or debate. I further ask that if confirmed, the motion to reconsider be considered made and laid upon the table and that the President be notified immediately of the Senate's action. I further ask unanimous consent that the pending cloture vote on the Kobes nomination occur at 12 noon today.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. CORNYN. Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

YEMEN

Mr. RUBIO. Madam President, we saw yesterday that the vote on the Yemen War Powers Resolution has brought to light the broader issue of our alliance with Saudi Arabia. This is an issue that people have heard a lot about, obviously, in the last few weeks with the murder of a journalist, and the Yemen resolution vote has become a proxy over that matter.

I have been outspoken in the past about why it matters that we speak out strongly about and against the murder of this journalist, Khashoggi, but also that we talk more broadly about what we need to do about it and how it applies to our alliance with Saudi Arabia.

I want to tailor my comments today by briefly talking about exactly what the implications are based on the questions I get from people. Why does the murder of Khashoggi matter, and why should we care about it?

First, this is part of a pattern. The Crown Prince, who is effectively governing Saudi Arabia now, has been continually testing the limits of the world's patience and also the limits of our alliance. There is a pattern here. We have seen it. He kidnapped, over 2 weeks, the Prime Minister of Lebanon. He has fractured an alliance that once existed with the Gulf Kingdoms. All of it has implications on U.S. national security. So this is just one more escalation in a pattern of testing the limits of our alliance.

Then there are human rights. Why do human rights matter? For a practical reason, human rights matter. From a practical perspective, when human rights are violated, the result is a humanitarian crisis, as we have seen often around the world, which often leads to mass migration.

Let me they tell you something else a violation of human rights leads to: radicalization. When you violate a group of people, you mistreat them and abuse them; you leave them ripe for radicalization—for a radical group to come in and basically pull them in and say: We are the ones with the power, the weapons, and willingness to fight. Join us to go after your oppressors.

In fact, if you look at what is happening in Yemen, much of it and the Houthis comes from years of abuses against the Shia. It doesn't justify the radicalization, but it explains that, as it does what we have seen in Iraq and in Syria.

Here is one other thing that happens with human rights abuses. The abusers often get overthrown. Here is the problem. When an abusive government that violates human rights gets overthrown, the people who take over hate us because we have been supporting their abusers. These are practical reasons why human rights matter.

And there is a moral one. Perhaps in the ranking and order, that is the most important one—the moral one. It is because that is what makes us different from China and Russia and other countries around the world. This is what makes America different. In fact, I would say that the murder of Mr. Khashoggi is more about us. When it comes to our debate, it is about us. It is not just about him. It is about us and who we are and about whether we, as a nation, are prepared to excuse, overlook, or sort of brush away this horrifying incident because somebody buys a lot of things from us or produces a lot of oil.

Assuming we can mostly agree on that, the question is, What do we do about it? There is this false choice that has been presented to us. This false choice is that there are only two choices: Either ignore it or abandon and fracture the Saudi alliance. That is not true. There are other choices. It is not just either-or, those two. That is a false choice.

What I do believe is the wrong thing to do about it is to pull and yank away our support for Saudi operations in Yemen. Let me explain why. The first is, right now, the only hope of ending that is not winning an armed conflict; it is a peace negotiation. And the people who have to be at that table aren't just the Houthis but the deposed Yemeni President, who is in Saudi Arabia. If we yank our support, the chances of that peace happening diminish significantly. In fact, the Houthis probably say: The Saudis no longer have U.S. support; they are not as strong as they used to be; I think we can beat them; we don't need a peace deal. So it actually makes peace less likely.

The second thing, from a practical perspective, is that we will have less influence how the Saudis conduct the war, meaning that we will have no standing to have any influence whatsoever who they bomb, how often they bomb, and who they target. Some people argue that they will not have the